

- (1) Prescribing the methods of sampling, inspecting, analyzing, testing and examining agricultural and vegetable seed, and determining the tolerance to be followed in the administration of this Article.
- (2) Declaring a list of prohibited and restricted noxious weeds, conforming with the definitions stated in this Article, and to add to or subtract therefrom, from time to time, after a public hearing following due public notice.
- (3) Declaring the maximum percentage of total weed seed content permitted in agricultural seed.
- (4) Declaring the maximum number of 'restricted' noxious-weed seeds per pound of agricultural seed permitted to be sold, offered or exposed for sale.
- (5) Declaring the minimum percentage of germination permitted for sale as 'Agricultural Seeds.'
- (6) Declaring germination standards for vegetable seeds.
- (7) Prescribing the form and use of tags or stamps to be used in labeling seed.
- (8) Prescribing such other rules and regulations as may be necessary to secure the efficient enforcement of this Article.
- (9) Establishing fees and charges for agricultural and vegetable seed testing and analysis.
- (10) Prescribing minimum hybrid percentage for labeling for each species hybridized.
- (11) Prescribing labeling and coloring requirements for treated seed.
- (12) Establishing a Tobacco Seed Committee which shall approve flue-cured tobacco varieties prior to registration with the Department.
- (13) Prescribing labeling requirements for agricultural and vegetable seed."

**Sec. 5.** G.S. 106-277.28 reads as rewritten:

"§ 106-277.28. *License and inspection fees.*

For the purpose of providing a fund to defray the expense of inspection, examination, and analysis of seeds and the enforcement of this Article:

- (1) Repealed by Session Laws 1991, c. 588, s. 1.
- (2) Each seed dealer who offers for sale any agricultural, vegetable, or lawn or turf seeds for seeding purposes shall register with the Commissioner and shall obtain an annual license, for each location where activities are conducted, by January 1 of each year and shall pay the following license fee:
  - a. Wholesale or combined wholesale and retail seed dealer .....\$100.00
  - b. Retail seed dealer with sales of no more than \$500.00 ..... 5.00
  - c. Retail seed dealer with sales of more than \$500.00 but no more than \$1,000 ..... 15.00
  - d. Retail seed dealer with sales of more than \$1,000..... 25.00.
- (3) Each seed dealer or grower who has seed, whether originated or labeled by the dealer or grower, that is offered for sale in this